

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 22-CR-00068-KD
)	
PERCY DENNIS, JR.)	

FINAL ORDER OF FORFEITURE

This action is before the Court on the United States' motion for the preliminary order of forfeiture to become the final order of forfeiture (doc. 33). Defendant Percy Dennis, Jr. was indicted for the offense of felon in possession of a firearm, namely, an SCCY, SPX-2, 9mm pistol bearing serial number 371447 (doc. 1). The Indictment contained a forfeiture notice placing Dennis on notice that the United States would seek forfeiture of this firearm and three (3) rounds of Symbol 9mm Luger ammunition, four (4) rounds of Hornady 9mm Luger ammunition, one (1) round of X-Treme 9mm Luger ammunition, two (2) rounds of FC 9mm Luger ammunition, and two (2) rounds of Starline Brass 9mm Luger ammunition (Id.).

On July 12, 2022, the United States filed a motion for preliminary order of forfeiture for the firearm and ammunition. (Doc. 22) In that motion, the United States established Dennis' interest in the property and the nexus between the property and his conviction for Count One of the Indictment. On July 26, 2022, pursuant to 18 U.S.C. § 924(d), Title 28 U.S.C. § 2461(c) and Fed. R. Crim. P. 32.2(b), the Court entered a preliminary order of forfeiture for the firearm and ammunition. (Doc. 23)

In accordance with the provisions of 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(b)(6), the United States published notice of the forfeiture, and of its intent to

dispose of the firearm and ammunition, on the official government website, www.forfeiture.gov, beginning on July 27, 2022, and ending on August 25, 2022. (Doc. 25) The publication gave notice to all third parties with a legal interest in the property to file with the Clerk of the Court, 155 St. Joseph Street, Mobile, AL 36602, and a copy served upon Assistant United States Attorney Gina S. Vann, 63 South Royal Street, Suite 600, Mobile, AL 36602, a petition to adjudicate their interest within 60 days of the first date of publication. No third party filed a petition or claimed an interest in the property, and the time for filing any such petition has expired.

Further, pursuant to Fed. R. Crim. P. 32.2(b)(4)(A), forfeiture of the firearm and ammunition became final as to defendant, Percy Dennis, Jr., at the time of sentencing and was made a part of the sentence and included in the judgment. (Doc. 31) Thus, the United States has met all statutory requirements for the forfeiture of the firearm and ammunition, and it is appropriate for the Court to enter a final order of forfeiture.

NOW, THEREFORE, the Court having considered the matter and having been fully advised in the premises, it is hereby ORDERED, ADJUDGED and DECREED that for good cause shown, the United States' motion is GRANTED. Under 18 U.S.C. § 924(d)(1), 28 U.S.C. § 2461(c) and Fed. R. Crim. P. 32.2(c)(2), all right, title, and interest in the firearm and ammunition is CONDEMNED, FORFEITED and VESTED in the United States for disposition according to law; and,

IT IS FURTHER ORDERED that the Bureau of Alcohol, Tobacco, Firearms and Explosives or other duly authorized federal agency take the firearm and ammunition into its secure custody and control for disposition according to law; and,

IT IS FURTHER ORDERED that the Bureau of Alcohol, Tobacco, Firearms and Explosives or other duly authorized federal agency is hereby authorized to dispose of the firearm and ammunition in accordance with the law; and,

IT IS FURTHER ORDERED that pursuant to 21 U.S.C. § 853(n)(7), the United States of America has clear title to the firearm and ammunition and may warrant good title to any subsequent purchaser or transferee; and,

IT IS FURTHER ORDERED that the Court shall retain jurisdiction in this case for the purpose of enforcing this Order.

DONE AND ORDERED this 7th day of November 2022.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE